

REMARKS

Claims 1-25 were pending. All stand rejected. The applicant hereby requests an examiner interview. The interview will be conducted by the undersigned. To be discussed are the following:

1. Claims 1-24 do, in fact, require that the first and second routines are loaded from the same storage medium that stores the data to be accessed.

In the final rejection, the examiner states that “the features upon which the applicant relies (i.e. loaded from the same storage medium that stores the data to be accessed) are not recited in the rejected claim(s).” While the claims do not contain this exact wording, they do contain the substance of this limitation. Therefore, the examiner’s observation is not correct. For example, claim 1 recites “retrieving data from a data storage medium comprising ... loading a program from the data storage medium ... receiving a request for access to data stored on the data storage medium... accessing the data...”. In other words, claim 1 requires that the program is loaded from the data storage medium and that the accessed data is stored on the data storage medium. This means that the program is loaded from the same data storage medium that stores the data to be accessed.

2. Properly construed, the claims are not anticipated, nor obvious, in view of the cited references.

Claims 1-24 are allowable because Stegelmann and Vahalia, taken singly or in combination, do not teach or suggest that the program is loaded from the same data storage medium that stores the data to be accessed.

Moreover, claims 15-25 recite a “first routine” and a “second routine” that are alternatives such that, for a particular request, one of the routines is selected for accessing the data based on the type of the request. Taken singly or in combination, Stegelmann and Vahalia do not suggest or disclose this feature either.

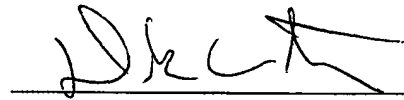
In addition, Stegelmann and Vahalia are not properly combined because there would have been no reason to believe that a combination of Stegelmann and Vahalia would succeed at solving “problems caused by different types of storage devices having different data storage formats,” as identified by the examiner.

3. Claim 25 includes another limitation that is not disclosed or suggested by the cited references.

Claim 25 recites "[a]n article of manufacture ... having computer readable program code stored on secondary storage ... wherein the secondary storage is built into a cartridge for the data storage media." Stegelmann and Vahalia, taken singly or in combination, do not teach or suggest that the secondary storage is built into a cartridge for the data storage media.

Respectfully Submitted,

Dated: Nov. 15, 2005

A handwritten signature in black ink, appearing to read 'Derek J. Westberg', written over a horizontal line.

Derek J. Westberg (Reg. No. 40,872)